



Arbitration Application No.873 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2026

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Arbitration Application No.873 of 2025

M/s.TSR Films Private Limited,
Rep. By its Authorized Signatory,
Mr.T.Teddy Joshua.D,
No.2, (Old No.29), Lake Area,
First Cross Street, Nungambakkam,
Chennai – 600 034.

.... Applicant

Vs.

Natraj Multiplex Cinema,
2601/8, Third floor, Natraj Arcade,
Nagarpalika Road Kapadwanj, Kheda,
Gujarat – 387 620.

... Respondent

For Applicant : Mr. R.Yashwanth Hariharan

ORDER

This application came up for hearing on 04.07.2025 and the following order came to be passed by this Court:

“This application has been filed under Section 9 of the Arbitration and Conciliation Act, 1996, seeking for appointment of an Advocate Commissioner to take inventory of the applicant's equipments which are being used by the respondent and if required seize the same and



WEB COPY



Arbitration Application No.873 of 2025

hand over custody of the same to the applicant.

2. The applicant has entrusted the equipments to the respondent under an Agreement, viz., Non-compete and Non solicited Agreement, dated 20.12.2022. According to the applicant under the said Agreement, the respondent shall only use the equipments belonging to the applicant for their theater complex. However, according to the applicant, the respondent is now using the equipments belonging to third parties and they have committed breach of Agreement, dated 20.12.2022. The applicant has already issued a legal notice to the respondent on 23.04.2025. The respondent has also received the same, but has chosen not to send any reply. At the first instance, to see whether the equipments of the applicant are kept intact by the respondent or not, this Court is of the considered view that an inventory can be taken to inventorise the equipments belonging to the applicant, which are described in the schedule to the Judges Summons. After the respondent files counter in this application, this Court can then consider directing the Advocate Commissioner to repossess the equipments if the applicant able to satisfy this Court. Accordingly, since a prima facie case has been made out by the applicant for the appointment of an Advocate Commissioner to take inventory and the balance of convenience and irreparable hardship have also been established, this Court appoints Ms. T. P. Savitha, Advocate, who is having office at No.1G, Second Floor, o.103/50, Armenian Street, Opp. to Catholic Center, Parrys, Chennai - 600 001 (Mobile No.97101



31846) as the Advocate Commissioner to take inventory of the equipments belonging to the applicant morefully described in the schedule to the Judges Summons and thereafter submit a report before this Court on the next hearing date.

3. The Advocate Commissioner is permitted to obtain police aid, if the need arises and the police shall also grant such a permission if a specific request is made by the Advocate Commissioner.

4. Notice to the respondent, returnable by 11.08.2025. Private notice is also permitted.

Post the matter on 11.08.2025.”

2. The matter was again listed for hearing on 11.08.2025 and the following order came to be passed by this Court:

“The Advocate Commissioner appointed by this Court seeks extension of time to execute the warrant of commission.

2. Time is extended for the Advocate Commissioner to execute the warrant of commission till the next hearing date. Since the initial remuneration payable to the Advocate Commissioner was not fixed by this Court vide order dated 04.07.2025, this Court directs the applicant to pay an initial remuneration of Rs.30,000/- (Rupees Thirty Thousand only) to the Advocate Commissioner before the Advocate Commissioner actually execute the warrant of commission.

3. Notice sent to the respondent has been returned unserved. The return cover has been filed along with AOS. The applicant is



WEB COPY



Arbitration Application No.873 of 2025

directed to effect substituted service on the respondent by effecting paper publication in any vernacular daily having wide circulation in the State of Gujarat for the hearing on 15.09.2025.

4. Post the matter on 15.09.2025.”

3. After the above orders were passed, some steps were taken to amicably settle the dispute. However, the settlement did not go through.

4. The matter was thereafter adjourned to enable the learned Advocate Commissioner to execute the warrant by taking inventory of the equipment belonging to the applicant. Pursuant to the above order passed on 20.01.2026, a report was filed on 09.02.2026 by the Advocate Commissioner by providing the inventory of the equipments that were identified in the premises of the respondent.

5. The respondent has been served with notice. Pursuant to the paper publication effected by the applicant, there is no appearance for the respondent either in person or through counsel.

6. In view of the above, the interim order passed by this Court is made absolute. In order to effectively seize the equipment from the respondent at Gujarat, it will be more appropriate to appoint a receiver



Arbitration Application No.873 of 2025

and relieve the Advocate Commissioner.

WEB COPY

7. Considering the report filed by the Advocate Commissioner and efforts taken by the Advocate Commissioner to take inventory of the equipments, this Court is inclined to order additional remuneration of Rs.15,000/- (Rupees fifteen thousand only) payable to the Advocate Commissioner.

8. Accordingly, Mr.D.Teddy Joshua, is appointed as a receiver to seize the equipments, which have been identified by the Advocate Commissioner in the report filed before this Court, if required with police aid.

This application is disposed of in the above terms.

16.02.2026

mp



WEB COPY



Arbitration Application No.873 of 2025

N.ANAND VENKATESH, J.

mp

Arbitration Application No.873 of 2025

16.02.2026